STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

ON-SITE SYSTEMS ADVISORY BOARD 89 Kings Highway, Dover, DE 19901 (302) 739-9948

Monthly Meeting Minutes

For May 6, 2015

Members Present: David Austin, Matt Brill, Lāf Erickson, Byron Jefferson, Paul Hufschmidt,

Phil King, Ken Walsh, Andrew Whitman (for Dave Schepens)

Also Present:

Robert Weisner (licensee); Damon Edwards (attorney for Mr. Weisner);

DNREC staff: Roy Heineman, Katharyn Wright

Meeting began at 9:15 a.m.

Ken made a motion to accept the amended agenda items; Paul seconded, all approved.

April 1, 2015 Meeting Minutes reviewed; Ken made a motion to approve; Phil seconded, all approved.

License Applications:

Applicant Name	License Type	Approved	Denied	Motion By	2 nd By	All In Agreement
Justin Redding	А	х				
Meghan Lester, P.E.				Paul	Ken	X
Thomas Kane						
Robert Lovins						
Monica Powell						
Wayne Hignutt	F	x		Paul	Ken	X
Larry Greene						
Daniel Barrett						
Gary Hickman						
Dustin Donovan						
Jason Guarino						
Jason Dolby						
Jerry Hill						
Jay Murphy						

❖ After reviewing the Class A applications, the OSSAB moved Mr. Weisner up on the agenda. Andy provided a recap for the OSSAB. Byron posed questions to Mr. Weisner. Mr. Edwards initially spoke, asking specifically what sections of the regulations were violated. Mr. Weisner gave his explanation of the events, stating that he put tanks in and didn't know the system had been moved. Mr. Weisner called Russ Losco (Soil Evaluator) when Mr. Weisner felt the soils in the area were unsuitable. Mr. Weisner stated that Mr. Losco determined the new system location on-site. Mr. Weisner stated that he called DNREC and spoke to a Kenny Pressley (GWDS staff member) regarding the change to the system location. Mr. Weisner said that Kenny told him (Mr. Weisner) that it was OK to move the system provided that Mr. Weisner took all responsibility if the system had to be moved. Mr. Weisner said that Mr. Losco was to submit the new paperwork regarding the system location changes to Michelle Adkins (GWDS Soil Scientist). Mr. Weisner stated that he believed that Kenny gave approval for the system changes so Mr. Weisner began to install the system. Mr. Weisner stated that he was never informed that the permit had been cancelled and that he would need a new permit because of the system changes. Mr. Edwards again referred to the regulations and permit conditions. Laf, Dave and Phil then guestioned Mr. Weisner about the system design and permit conditions. Weisner reiterated that he didn't know that he needed a new septic permit, even with moving the system outside of the approved disposal area. Lāf then discussed the 1st & 2nd site evaluations, noting the disturbance to the approved area and the soil requirements. Lāf also had copies of the email(s) from Mr. Losco to Mr. Weisner. Phil reiterated the regulatory soil requirements and Byron explained the permit approval process (as it relates to the soil evaluator, the designer and DNREC). Mr. Edwards discussed the regulatory process and questioned actions against Mr. Weisner. Roy clarified that the OSSAB is simply gathering information at this point because the OSSAB only has information from DNREC. Paul addressed Class E requirements and installation requirements. Dave noted that these were major changes to the design, not minor changes and there are new regulatory requirements that must be followed. Matt then addressed regulatory requirements and permit conditions related to changing systems. Ken asked Mr. Weisner questions regarding the excavation and the soil scientist. Dave discussed installation requirements and Mr. Weisner reiterated that he relied on the soil scientist and the engineer, when they said it was OK to move the system. Phil repeated the permitting requirements involve getting DNREC's written approval, via a permit. Mr. Edwards noted a change in the first and second permit, regarding the permitted flows (120 GPD vs. 240 GPD). Ken noted that Section 4.1.2.5 of the regulations applies to this issue. Phil would like to discuss this project with both the soil scientist (Mr. Losco) and the engineer (Mr. Carmine Casper). Byron made a motion to invite Mr. Losco and Mr. Casper to the next OSSAB meeting and defer the discussion regarding Mr. Weisner until after the OSSAB meets with Mr. Losco and Mr. Casper; Phil seconded. Byron explained that (in general) the engineer takes responsibility for the changes but a new drawing is still submitted. Andy said that GWDS staff contacted Mr. Weisner about this permit, before changes were made and Mr. Weisner denied that ever happened. Roy stated this matter was addressed in the February 2015 meeting between DNREC staff and Mr. Weisner. Mr. Weisner said he wanted to attend the meeting with Mr. Losco and Mr. Casper; Byron said DNREC would inform Mr. Weisner when they were to attend. Mr. Weisner and Mr. Edwards left the meeting.

- After completing the discussion with Mr. Weisner, the OSSAB reviewed the Class F applications; results above.
- Continuing Education Training (CET's):
 - Byron Jefferson (Class A,B,C #2160): Ethical Decisions & Moral Overload; approved for 2 hours
 - ➤ Bruce Patrick (Class C #2453): EPA Introduction to Cybersecurity Workshop and Table Top Exercise; approved for 6 hours {Matt opposed}
 - Polytech Adult Education: Basic Electricity for Wastewater Operators; approved for 6 hours, for all licensees
- ❖ Letter from Homeowner (Bush): Byron read aloud an email from property owner Ralph Bush, regarding Delaware Septic Service LLC (Hans Scheing) and the incomplete installation; OSSAB to send letter to property owner, informing the owner that DNREC will look into it; Andy reported that he has attempted to reach Hans Scheing several times but has been unsuccessful; Andy said an inspector has been out to the property and noted that the top soil has not been applied and the final grade is incomplete.
- Next scheduled meeting on June 3, 2015.
- Meeting adjourned at 11:00 a.m.

Prepared By Katharyn Wright

Approved By Byron Jefferson